

HOUSE BILL 1414

By Towns

AN ACT to amend Tennessee Code Annotated, Title 20;  
Title 39; Title 40 and Title 55, relative to indigency.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 20, Chapter 12, is amended by adding the following new section:

(a) Notwithstanding any law to the contrary, a court shall not deprive a defendant of any constitutional right guaranteed by the Constitution of Tennessee, or the United States Constitution, as a consequence for failure to pay costs, fees, or any other monetary amount until a determination of indigency hearing has been conducted for the defendant by the court. If the court finds that the defendant is unable to pay the costs, fees, or monetary amount due to the defendant's indigency, then the court shall not order a civil sanction.

(b) An indigency hearing conducted pursuant to this section must be conducted by the presiding judge in the civil proceeding.

(c) Subsection (a) does not apply to a defendant in a criminal proceeding.

SECTION 2. This act shall take effect July 1, 2019, the public welfare requiring it, and shall apply to civil proceedings arising out of violations occurring on or after that date.